

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

FRIEDRICH LU,
Plaintiff,

v.

CIVIL ACTION NO.
14-13053-LTS

THOMAS M. MENINO, MARTIN J. WALSH, WILLIAM
F. SINNOTT, EUGENE L. O'FLAHERTY, CAROLINE
O. DRISCOLL, DAVID WATERFALL, GEORGE HULME,
BERTHE M. GAINES, DONNA M. DEPRISCO, ANGELO
M. SCACCIA, JAMES CARROLL, KARYN M. WILSON,
JEFFREY B. RUDMAN, ZAMAWA ARENAS, A. RAYMOND
TYE, EVELYN ARANA-ORTIZ, PAUL LA CAMERA,
CAROL FULP, BYRON RUSHING, DENNIS LEHANE,
JOHN T. HAILER, LAURA DEBONIS, JOHN DUNLAP,
PAUL CURRAN, AMY E. RYAN, BOSTON SCHOOL COMMITTEE,
BOSTON HOUSING AUTHORITY, BOSTON REDEVELOPMENT
AUTHORITY, BOSTON PUBLIC HEALTH COMMISSION,
TRUSTEES OF BOSTON PUBLIC LIBRARY,
Defendants.

PROCEDURAL ORDER

March 5, 2015

BOWLER, U.S.M.J.

On March 2, 2015, this court issued a Report and
Recommendation on a number of pending motions including an
amended motion to dismiss (Docket Entry # 17) filed by the
following defendants: Thomas M. Menino, Martin J. Walsh, William
F. Sinnott, Eugene L. O'Flaherty, Caroline O. Driscoll, David
Waterfall, George Hulme, Berthe M. Gaines, Donna M. Deprisco,
Angelo M. Scaccia, James Carroll, Karyn M. Wilson, Jeffrey B.
Rudman, Zamawa Arenas, A. Raymond Tye, Evelyn Arana-Ortiz, Paul
La Camera, Carol Fulp, Byron Rushing, Dennis Lehane, John T.

Hailer, Laura Debonis, John Dunlap, Paul Curran, Amy E. Ryan, the Boston School Committee ("BSC") and the Trustees of the Boston Public Library ("the Trustees"). The Report and Recommendation recommended allowing the motion.

In describing the amended motion to dismiss, however, the body of the opinion omits including BSC and the Trustees as entities that filed the amended motion. It also omits BSC and the Trustees from the definition of "the City defendants." The arguments to support allowing the motion are not affected by the omissions and remain the same. In light of the omissions, however, this court will sua sponte extend the 14 day time period to file objections to the Report and Recommendation by an additional three days. Accordingly, the following schedule shall apply to filing objections and to responding to any objections. This new schedule shall replace the schedule set on page 46 of the Report and Recommendation.

Any objections to the Report and Recommendation must be filed with the Clerk of Court within 17 days of receipt of the Report and Recommendation to which objection is made and the basis for such objection. See Fed.R.Civ.P. 72(b). Any party may respond to another party's objections within ten days after service of the objections. Failure to file objections within the specified time waives the right to appeal the order.

Finally, as explained in the Report and Recommendation

(Docket Entry # 41, pp. 29, 46), defendant Boston Housing Authority remains as a defendant in Count Four. This court will issue a scheduling order, if necessary, after the district judge issues a decision with respect to the Report and Recommendation. See 28 U.S.C. § 636(b).

/s/ Marianne B. Bowler
MARIANNE B. BOWLER
United States Magistrate Judge